IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

DESIRAY ALLEN,)
Plaintiff,)
-VS-) Case No. CIV-15-1075-F
MR. GILL,)
Defendant.)

ORDER

Plaintiff, a prisoner who appears *pro se* and whose pleadings are liberally construed, initiated a complaint under 42 U.S.C. § 1983.

Magistrate Judge Bernard M. Jones issued a Report and Recommendation on December 30, 2015. Doc. no. 11. In the Report, Magistrate Judge Jones recommends that this action be dismissed without prejudice because plaintiff has failed to prosecute his case.

The Report advises plaintiff of the right to file an objection to the Report with the clerk of this court by January 20, 2016. The Report further advises that failure to make timely objection to the Report waives plaintiff's right to appellate review of both factual and legal issues contained in the Report. Plaintiff has not filed an objection or response to the Report, and plaintiff has not sought an extension of time within which to file any objection or response.

After review of the issues covered in the Report, with no objection having been filed, and having concluded that no further analysis is necessary, the Report and Recommendation of Magistrate Judge Jones is **ACCEPTED**, **ADOPTED** and

AFFIRMED in its entirety, and this action is **DISMISSED** without prejudice for the reasons stated by the Magistrate Judge.

Dated this 4th day of February, 2016.

STEPHEN P. FRIOT

UNITED STATES DISTRICT JUDGE

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